

Senate Engrossed House Bill

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 140

HOUSE BILL 2119

AN ACT

AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-269.07; RELATING TO COUNTY POWERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 11, chapter 2, article 4, Arizona Revised Statutes,
3 is amended by adding section 11-269.07, to read:

4 11-269.07. Annexation to city or town; small county islands

5 A BOARD OF SUPERVISORS MAY REQUIRE ANNEXATION TO A CITY OR TOWN OF ANY
6 TERRITORY OF THE COUNTY THAT CONSISTS OF AN ENTIRE PARCEL THAT IS TEN ACRES
7 OR LESS AND THAT IS COMPLETELY SURROUNDED BY THE CITY OR TOWN IN ACCORDANCE
8 WITH THE FOLLOWING PROCEDURES:

9 1. WRITTEN NOTICE OF THE PROPOSED ANNEXATION AND THE PUBLIC HEARING
10 REQUIRED BY PARAGRAPH 2, TOGETHER WITH A DOCUMENT SETTING FORTH A DESCRIPTION
11 AND AN ACCURATE MAP OF THE EXTERIOR BOUNDARIES OF THE TERRITORY TO BE
12 ANNEXED, SHALL BE GIVEN TO THE CITY OR TOWN AND MAILED BY FIRST CLASS MAIL
13 TO EACH OWNER OF REAL PROPERTY IN THE TERRITORY PROPOSED FOR ANNEXATION.
14 NOTICE TO EACH OWNER OF RAILROAD PROPERTY MUST BE MAILED TO THE ADDRESS ON
15 FILE WITH THE COUNTY ASSESSOR'S OFFICE FOR PROPERTY TAX PURPOSES. THE NOTICE
16 SHALL ALSO BE POSTED IN THREE CONSPICUOUS PUBLIC PLACES IN THE TERRITORY
17 PROPOSED FOR ANNEXATION.

18 2. UNLESS A PETITION IS FILED PURSUANT TO PARAGRAPH 3 OR A RESOLUTION
19 IS PASSED PURSUANT TO PARAGRAPH 4, THE BOARD OF SUPERVISORS SHALL HOLD A
20 PUBLIC HEARING NOT LESS THAN NINETY DAYS AFTER THE NOTICES ARE PROVIDED
21 PURSUANT TO PARAGRAPH 1 AND THE ANNEXATION SHALL BECOME FINAL AFTER AN
22 AFFIRMATIVE VOTE OF TWO-THIRDS OR MORE OF THE BOARD MEMBERS TO ANNEX THE
23 TERRITORY.

24 3. IF A MAJORITY OF THE REAL PROPERTY OWNERS IN THE TERRITORY PROPOSED
25 FOR ANNEXATION FILE A WRITTEN PETITION CONTAINING THEIR SIGNATURES AND
26 OBJECTING TO THE ANNEXATION WITHIN SIXTY DAYS AFTER THE NOTICES ARE PROVIDED
27 PURSUANT TO PARAGRAPH 1, THE ANNEXATION SHALL NOT PROCEED.

28 4. IF AN AFFECTED CITY OR TOWN PASSES A RESOLUTION OBJECTING TO THE
29 ANNEXATION WITHIN SIXTY DAYS OF THE MAILING REQUIRED BY PARAGRAPH 1 OF THIS
30 SECTION, THE ANNEXATION SHALL NOT PROCEED. IF A CITY OR TOWN PASSES A
31 RESOLUTION OBJECTING TO THE ANNEXATION, THE CITY OR TOWN SHALL FILE WITH THE
32 CLERK OF THE BOARD OF SUPERVISORS A COPY OF THE RESOLUTION AND SHALL NOTIFY
33 THE REAL PROPERTY OWNERS IN THE TERRITORY BY FIRST CLASS MAIL THAT THE
34 ANNEXATION SHALL NOT PROCEED.

APPROVED BY THE GOVERNOR MAY 5, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 5, 2003.

Passed the House February 24, 2003

by the following vote: 44 Ayes,

15 Nays, 1 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate April 1, 2003

by the following vote: 21 Ayes,

8 Nays, 1 Not Voting

Ken Blunt
President of the Senate

Chaimin Ballington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

H.B. 2119

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 29, 2003,

by the following vote: 35 Ayes,

22 Nays, 3 Not Voting

Jake Flake
Speaker of the House
Norman L. Moore
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

29 day of April, 2003,

at 11:00 o'clock A M.

Endra Ramirez
Secretary to the Governor

Approved this 5 day of

May, 2003,

at 10⁵⁰ o'clock A M.

Jon Rynell
Governor of Arizona

H.B. 2119

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 5 day of May, 2003,

at 3:59 o'clock P M.

Janice K. Brewer
Secretary of State